

CHAUNCEY RICE.

[To accompany bill H. R. No. 132.]

MARCH 5, 1840.

Mr. TALIAFERRO, from the Committee on Revolutionary Pensions, made the following

REPORT:

The Committee on Revolutionary Pensions, to whom the petition of Chauncey Rice was referred, concur in the report made 25th Congress, 3d session, hereto annexed; and report a bill.

JANUARY 26, 1839.

*The Committee on Revolutionary Pensions, to whom was referred the petition of Chauncey Rice, of Pennsylvania, for a pension under the law passed June 7, 1832, respectfully report:*

That this case was considered by the Committee on Revolutionary Pensions of the last Congress, which made the following report in favor of granting some portion of the relief prayed for by the petitioner.

Your committee, concurring in the views expressed by their predecessors, have adopted their report, and beg leave to report a bill in conformity thereto.

JANUARY 3, 1837.

*The Committee on Revolutionary Pensions, to whom was referred the petition of Chauncey Rice, of Northampton county, Pennsylvania, praying for a pension under the law passed June 7, 1832, beg leave to report:*

That the petitioner says he was born in Litchfield, in the State of Connecticut, the 22d of April, 1756; that his father was a tavern-keeper and merchant in the town of Norfolk, and was personally acquainted with General Washington; that, some time previous to the petitioner's going into the army, General Washington spent a night at his father's house, on his way from the northward, and that it was from some remarks made by General Washington, at the time, that the petitioner was induced to go into the army; that on the 10th day of May, 1776, he reached Long Island, where a part of the American army was stationed, and offered himself as a volunteer to General Washington, and was accepted; that, shortly after, General Washington authorized him to select a number of men as a scouting

party, and gave the petitioner command over them, with the commission of a captain, signed by General Washington; that he acted under it until he left the army; that he continued at Long Island until the army retreated, about the latter part of July, or beginning of August, 1776; that he proceeded from thence to the city of New York, and remained there until it was determined to evacuate the city; that he was then directed by General Washington to assist with his men in the removal of baggage, tents, provisions, stores, &c. up the North river; that he and his men, while thus engaged, were discovered and fired upon by a party of British soldiers, called "row-galleys;" that, by great exertions, they reached the army in safety. General Washington had heard the firing, and met them as they entered the camp, and commended them for their prudence and courage, and directed them to go into the camp and get some refreshments; that the petitioner was in the battle or skirmish at Harlaem heights, under Colonel Knowlton, who was killed: he had been reconnoitring, and on his return had fallen in with Colonel Knowlton. In this battle he saw Major Leitch, of Virginia, carried off the field, severely wounded; that the petitioner himself was wounded in this skirmish by a musket-ball in the leg, which rendered him incapable to perform duty for several weeks; that he subsequently accompanied General Washington in his retreat through New Jersey, and was in the battles of Trenton and Princeton, being attached, in these two engagements, to that part of the army commanded by General Washington in person; he was occasionally (in the absence of General Washington) under command of Generals Putnam and Lee: he was acquainted with them, and also with General Arnold, Major Leitch, Colonel Knowlton, Colonel Baldwin, and Major Atwater, of the militia, but has forgotten the names of many other officers with whom he was acquainted. That he left the army, late in the year 1779, in the neighborhood of Morristown, New Jersey, about going into winter quarters; that he left the army in consequence of his wound having broken out afresh, which made him unfit for service: being a volunteer, he did not receive a formal discharge; that he was in the service about three years and six months; that, during the whole time, he received neither money nor clothing from the Government, (except his rations,) but was furnished with both by his father, who was then in good circumstances; that, after he recovered, he was engaged in settling his father's estate, and employed as agent for different individuals, to act at different places, for a number of years; that his residence was finally taken up at Burlington, New Jersey; and while on a visit to Homer, in the State of New York, he was taken sick, and reported at home to be dead: in consequence of which, his friends broke open his trunk, and his papers (among which were the commission spoken of, and a journal of the principal events that happened during his service) were either lost or destroyed.

To this is attached the certificate of Peter Powell, minister of the Gospel, Moses Lill, and Christian Larzelere, respectable citizens of Burlington, who are well acquainted with the petitioner, that he is a man of good character, and believed and reputed to have been a soldier in the revolutionary war.

And the judges of the court of common pleas for the said county of Burlington, having examined the petitioner upon the interrogatories prescribed by the War Department, believe him to have been a soldier of the revolution, and to have served as he states.

Colonel Daniel Kemper testifies that he is well acquainted with Chauncey Rice; that he and the petitioner served on a scouting party in the revolutionary war, near Elizabethtown, about the year 1780; said Chauncey Rice commanded the party.

Abraham Mann testifies that he is a pensioner of the United States for services in the revolutionary war; that he is well acquainted with the petitioner, and was acquainted with him during the revolutionary war; that said Chauncey Rice was appointed captain of a scouting party on Long Island, New York, by General Washington, in 1776, and continued in said service for more than two years; that the said Captain Rice was at the battle of White Plains, New York, also in the battle of Trenton, New Jersey, and that he was with the army when it retreated through New Jersey; and that the witness saw the wound received by Captain Rice at White Plains, where he fought under Colonel Knowlton and Major Leitch. The witness also fully confirms the petitioner's statement about his retreat, with baggage, &c., up the North river; and that he became acquainted with Captain Rice on Long Island. Witness also received liquor (accidentally found in a cellar) that was dealt out among the soldiers by Captain Rice, by order of General Washington. He further states that he was in the battle at which Captain Rice was wounded.

With this condensed history of the services of the petitioner, well substantiated by witnesses who are certified to be credible, the committee have no hesitation in allowing him a full pension as a private soldier. To grant him a pension as a captain, without some documentary testimony, would be to open a door to fraud and speculation, that has hitherto required all the vigilance of the committee to guard against.

The committee can perceive no reason why the widows of such officers and soldiers as have died since the passage of the above named acts should not be allowed the benefit of those acts, in common with the widows of such as died prior to their passage. The pension allowed by those acts was in consideration of the service of the husband; he, therefore, who rendered the requisite service, whether he died prior or subsequent to the passage of the acts referred to, must leave his widow entitled to a pension, according to the spirit and intention of those acts; and that they are not in common provided for by their laws, the committee consider an unintentional omission.

The act of 7th of July, 1838, was so construed as to exclude from its provisions the widows who married after the death of the husbands on account of whose services such widows claimed pension. In order to remedy this, an act was passed 3d of March 1837, to amend the act of 1836, by which amendment it was provided that a second marriage should be no bar to the claim of a widow to a pension under the act of the 4th of July, 1836, she being a widow at the time she applies for it. No such provision is made in the act of the 7th of July, 1838. As the committee can perceive no reason why any distinction should be made between the widows claiming under these two acts, they therefore recommend that a second marriage shall not exclude a widow from the benefit of the act of the 7th of July, 1838, she being otherwise entitled thereto, and a widow when she applies for a pension. For the foregoing purposes a bill is reported.

Read & given notice.

